

## **REMARKS/ARGUMENTS**

Claims 1, 3, 5-9, 11, 12, and 14-19 are pending in this application. Claims 1, 3, 5-9, 11, 12, and 14-19 stand rejected. In light of our remarks set forth below, Applicants submit that the pending claims are in condition for immediate allowance.

Claims 1, 3, 6, 7, 9, 12, and 15-19 stand rejected under 35 USC §102(b) as being anticipated by U.S. Patent No. 6,490,920 ("Netzer"). Applicants request reconsideration and withdrawal of this rejection.

Among the limitations of independent claim 1 not present in Netzer is "arranging one or more electronic modules on a substrate...and soldering a metal cap to metallization on said substrate to form an encapsulated space, said one or more electronic modules being disposed in said encapsulated space and separated from any fuel or vapor outside said encapsulated space."

As shown in Figs. 1-4 and discussed in the present specification, various electronic modules 20 are arranged on substrate 22. The modules may be passive or active electronics. A cap 26 is fixed to the ceramic substrate 22 for creating a fully tight encapsulation space whereby no fuel or vapor could enter. Applicants note that as claimed all of the electronic modules arranged on the substrate are arranged within the encapsulated space created by the metal cap.

In contrast, Netzer discloses a capacitive liquid level sensor having a first and second pattern of conductive capacitive plates on a substrate. As shown in Fig. 6 of Netzer an enclosure 2 is provided that protects a portion of the sensor substrate from contact with the liquid. In Netzer, some electronic components are arranged within an encapsulated space formed by cap 2 but the remaining electronic components CC1 and CC2 are arranged on the substrate outside the encapsulated space. In other words, the electronic modules CC1 and CC2 on the substrate are exposed to the fuel and vapor outside the encapsulated space.

Additionally, Applicants note that Netzer is silent with respect to soldering a metal cap to metallization on the substrate. In fact, if a metal cap were soldered onto Netzer's substrate,

electronic modules CC1 and CC2 would be short-circuited, thereby destroying the functionality of Netzer.

Thus, Netzer fails to teach or suggest the explicitly recited limitation of soldering a metal cap to metallization on said substrate to form an encapsulated space and one or more electronic modules being disposed in said encapsulated space and separated from any fuel or vapor outside said encapsulated space. Therefore, Netzer fails to anticipate claim 1.

Each of independent claims 3, 7, and 9 include similar limitations whereby the one or more electronic modules on the substrate are arranged within the encapsulated space formed by soldering a metal cap to metallization on the substrate. Therefore, each of the independent claims is allowable over Netzer for at least the same reason as claim 1.

Claims 5, 11 and 15 stand rejected under 35 USC §103(a) as unpatentable over Netzer in view of U.S. Patent No. 5,821,455 ("Yamamoto"). Applicants request reconsideration and withdrawal of this rejection. Yamamoto was not added to cure the deficiency in Netzer discussed above but for its teaching of a ceramic substrate. However, Yamamoto does not cure the deficiency noted above. Therefore, the combination fails to render claims 5, 11, and 15 as unpatentable.

Applicant has responded to all of the rejections and objections recited in the Office Action. Reconsideration and a Notice of Allowance for all of the pending claims are therefore respectfully requested. If the Examiner believes an interview would be of assistance, the Examiner is encouraged to contact the undersigned at the number listed below.

It is believed that no fees or charges are required at this time in connection with the present application. However, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,  
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